

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF TEXAS  
DALLAS DIVISION

WENDELL BRIAN WILCOX,  
PLAINTIFF,

v.

JP MORGAN CHASE BANK, N.A.,  
CHASE HOME FINANCE LLC,  
and JP MORGAN CHASE & CO.,  
DEFENDANTS.

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No. 3:10-CV-1920-K

ORDER

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The Court has under consideration the Findings, Conclusions, and Recommendation of United States Magistrate Judge Paul D. Stickney on Defendants' Motion to Dismiss (doc. 5). On December 13, 2010, Plaintiff Wilcox, filed his First Amended Complaint in this case. Therefore the Court declines at this time to adopt the Findings, Conclusions and Recommendations of United States Magistrate Judge Paul D. Stickney . Therefore, Defendants' Motion to Dismiss, filed on September 29, 2010 is **DENIED, without prejudice.**

Also before the Court is Defendant's Motion to Dismiss filed on November 30, 2010. In light of Plaintiff filing the required Amended Complaint, the Motion to Dismiss is **DENIED, without prejudice.**

The Court hereby reminds and admonishes Plaintiff Wilcox, that he must abide by all orders of the Court. Failure to follow orders of the Court may result in this case

being dismissed for want of prosecution, without further notice.

**SO ORDERED.**

**Signed** this 16<sup>th</sup> day of December, 2010.

A handwritten signature in cursive script, reading "Ed Kinkeade".

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ED KINKEADE  
UNITED STATES DISTRICT JUDGE